

THE CITY OF NEW YORK
LAW DEPARTMENT
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October 28, 2020

BY ECF

Hon. John P. Cronan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *M.V. obo J.V. v. N.Y. City Dep't of Educ., et al.*
20 CV 735 (JPC) (OTW)

Dear Judge Cronan,

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, attorney for the Defendants in the case referenced above. I write jointly with Plaintiffs' counsel to respectfully request an adjournment of the initial pretrial conference currently scheduled for next Thursday, November 5, 2020.

The parties are discussing settlement, and have agreed to a schedule whereby we will exchange information to facilitate these discussions. By November 9, 2020, the Department of Education will provide any remaining information concerning educational services received by the student-Plaintiff J.V. in the relevant school years. Plaintiffs will then issue a formal demand and provide their attorney times slips by November 23, 2020. Additional time will then be needed for negotiations and for this Office to request and obtain settlement authority from the City Comptroller. The parties hope that we will be able to reach a resolution without the Court's intervention, and it is possible that the conference will ultimately prove unnecessary. For this reason, we respectfully request that the Court adjourn the conference to a date convenient for the Court on or after January 5, 2021, and grant a corresponding adjournment of the deadline to submit the joint pre-conference letter and proposed case management plan.

This is the third request to adjourn the initial conference, though the first since Plaintiffs filed an amended complaint. Judge Gardephe originally scheduled an initial conference for May 28, 2020, but His Honor granted the parties' prior two requests.

Thank you for your consideration of this matter.

Respectfully submitted,

s/


Andrew J. Rauchberg
Assistant Corporation Counsel

cc: Erin O'Connor, Esq.
Law Office of Elisa Hyman P.C.
Attorneys for Plaintiffs

It is hereby ORDERED that the November 5, 2020 initial pretrial conference is ADJOURNED until January 5, 2021 at 10:00 a.m. The parties shall submit the joint letter and proposed case management plan outlined in the Court's October 2, 2020 letter /6] fZ\$ fiby December 29, 2020.

SO ORDERED.

Date: October 28, 2020
New York, New York


JOHN P. CRONAN
United States District Judge